UNITED STATES BANKRUPTCY COURT DISTRICT OF DELAWARE Case No. 22-11068 (JTD) In re: FTX TRADING LTD., et al., Debtors. 2025 FEB 25 AM 11: 49
US BANKRUPTCY COURT
DISTRICT OF DELAWARE

# MOTION TO ALLOW LATE OBJECTION TO THE ONE HUNDRED SIXTH (SUBSTANTIVE) OMNIBUS OBJECTION

#### 1. Introduction

I, Vincenzo Bernardi, the claimant for Claim No. 45123, respectfully submit this motion requesting the Court to accept my late objection to the Debtors' One Hundred Sixth (Substantive) Omnibus Objection. The reason for this request is that I did not receive timely notification of the modification to my claim due to an email filtering issue<sup>1</sup>, which caused the notice to be inadvertently marked as spam. This resulted in a significant delay in my ability to respond.

As soon as I became aware of this issue, I contacted Kroll for clarification and I am now formally submitting this motion.

### 2. Basis for the Objection

- FTX erroneously reduced my claim by €5,000 based on a wire transfer that was never received.
  - On November 8, 2022, FTX stated that it had processed a €5,000 withdrawal from my FTX account to my personal bank account. The withdrawal transaction, as documented in the provided screenshots (Exhibit A), shows the last four digits of my account number, confirming that the funds were intended to be deposited into my specific bank account. However, my bank statement (Exhibit C)² proves that this amount was never credited.

<sup>&</sup>lt;sup>1</sup> Email from Kroll Restructuring Administration, Subject: "Debtors' One Hundred Sixth (Substantive) Omnibus Objection to Certain Overstated and/or Unliquidated Proofs of Claim (Customer Claims)" Hearing Scheduled for November 20, 2024 at 2:00 p.m. (ET). Objections due by November 11, 2024 at 4:00 p.m. (ET) [Docket No. 25703] received on October 11, 2024.

<sup>&</sup>lt;sup>2</sup> This document confirms that no deposit of €5,000 was received between November 8, 2022, and the following weeks, despite the withdrawal being marked as completed on FTX.

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Despite the transaction being marked as "Completed" on FTX on November 7,

2022, at 11:44 AM, and the system-generated withdrawal confirmation emails

from FTX (Exhibit B)<sup>3</sup>, the funds never reached my account. This highlights a

discrepancy between FTX's records and my actual bank transactions,

emphasizing the need for FTX to provide verifiable proof of the alleged

successful deposit.

3. Request to the Court

I respectfully request that the Court:

Accept this late objection due to the unforeseen notification failure.

Reverse the modification of my claim and reinstate the original amount, of the

€5,000 that was never credited, based on the provided documentation, which clearly

demonstrates that the funds were intended for my bank account, as shown in the

withdrawal screenshots, and that no such deposit appears in my bank statements.

• Require FTX to provide verifiable proof (such as a SWIFT transaction reference or

internal banking records) confirming that the alleged wire transfer was successfully

deposited into my bank account.

4. Conclusion

Given that my claim was incorrectly modified due to an unverified transaction, and that my

delay in responding was caused by factors beyond my control, I respectfully ask the Court to

accept this motion and restore my original claim.

Date: February 7, 2025

mail: vinciberlr@gmail.com

Phone: +39 3208669120

Signature: Vincenzo Bernardi

Dul, Ving

<sup>3</sup> Email confirmation from FTX stating that the withdrawal would be credited within 3-5 business days.

### **Exhibits:**

- Exhibit A: Screenshot of the FTX withdrawal (€5,000) marked as "Completed" on November 7, 2022, but never credited.
- Exhibit B: Email confirmations from FTX regarding the withdrawal, including:
  - o November 7, 2022, 11:44 AM Acknowledgment of the withdrawal request.
  - November 8, 2022, 1:49 PM Confirmation email stating that the €5,000 wire transfer has been processed and would arrive within 3-5 business days.
- Exhibit C: Official bank statement confirming that the €5,000 withdrawal was never deposited into my account.
- Exhibit D: FTX transaction history showing all EUR deposits made from my bank account to FTX, confirming the funding of my FTX account.

Exhibit "A"

#### FTX APP SCREENSHOT

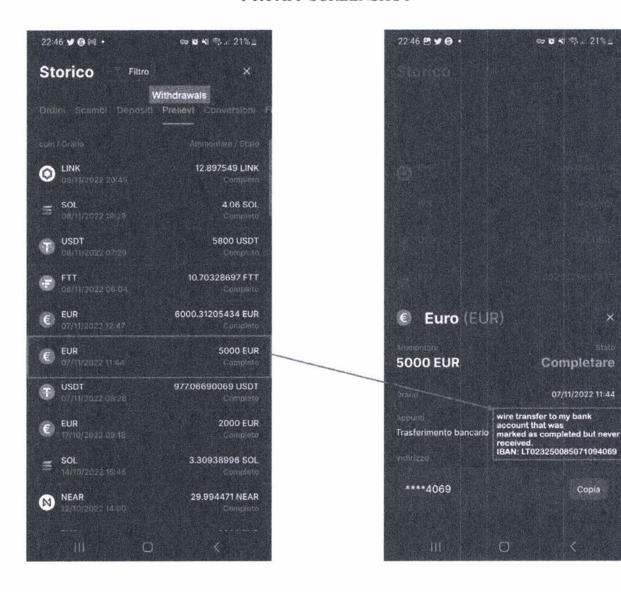


Exhibit "B"

Da: FTX Cryptocurrency Derivatives Exchange <a href="mailto:support@ftx.com">support@ftx.com</a>

Oggetto: FTX richiesta di prelievo Data: 7 novembre 2022 11:44 A: vinciber!r@gmail.com

### Ciao Vincenzo Bernardi,

Abbiamo ricevuto una richiesta di prelievo di 5000.00 EUR dal tuo conto FTX.

Se non sei stato tu a fare questa richiesta, ti preghiamo di cambiare la tua password e di contattare immediatamente l'assistenza clienti.

I prelievi vengono elaborati entro un giorno lavorativo. FTX non è responsabile di ritardi ocommissioni derivanti dalla banca o dalle banche intermediarie utilizzate. Per ulteriori informazioni, consultare

https://help.ftx.com/hc/en-us/articles/360043023772-Depositing-Withdrawing-Fiat-.

Da: FTX Cryptocurrency Derivatives Exchange support@ftx.com

Oggetto: FTX prelievo di fiat inviato Data: 8 novembre 2022 13:49
A: vinciberIr@gmail.com

#### Ciao Vincenzo Bernardi,

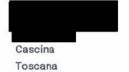
Il tuo prelievo di 5000.00 EUR è stato elaborato. Il bonifico arriverà sul tuo conto bancario entro tre/cinque giorni lavorativi.



Generato in data 7 feb 2025



### VINCENZO BERNARDI





## Riepilogo del saldo

| Prodotto                         | Saldo iniziale | Denaro in uscita | Denaro in entrata | Saldo di<br>chiusura |
|----------------------------------|----------------|------------------|-------------------|----------------------|
| Conto (conto corrente)           |                |                  |                   |                      |
| Salvadanai personali e di gruppo |                |                  |                   |                      |
| Totale                           |                |                  |                   |                      |

Il saldo sul tuo estratto conto potrebbe differire dal saldo mostrato nell'app. Il saldo dell'estratto conto inflette solo le transazioni completate, mentre l'app mostra il saldo disponibile, che tiene conto delle transazioni in sospeso

## Transazioni del conto dal giorno 29 settembre 2022 al giorno 31 dicembre 2022

| Data        | Descrizione | Denaro in uscita | Denaro in entrata | Saldo |
|-------------|-------------|------------------|-------------------|-------|
| 29 set 2022 |             |                  |                   |       |
| 29 set 2022 |             |                  |                   |       |
| 30 set 2022 |             |                  |                   |       |
| 30 set 2022 |             |                  |                   |       |
| 30 set 2022 |             |                  |                   |       |
| 1 ott 2022  |             |                  |                   |       |
| 2 ott 2022  |             |                  |                   |       |
| 2 ott 2022  |             |                  |                   |       |
| 3 ott 2022  |             |                  |                   |       |
| 3 ott 2022  |             |                  |                   |       |

| Data        | Descrizione | Denaro in uscita | Denaro in entrata | Saldo |
|-------------|-------------|------------------|-------------------|-------|
| 4 ott 2022  |             |                  |                   |       |
| 5 ott 2022  |             |                  |                   |       |
| 6 ott 2022  |             |                  |                   |       |
| 7 ott 2022  |             |                  |                   |       |
| 7 ott 2022  |             |                  |                   |       |
| 8 ott 2022  |             |                  |                   |       |
| 8 ott 2022  |             |                  |                   |       |
| 9 ott 2022  |             |                  |                   |       |
| 10 ott 2022 |             |                  |                   |       |
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| 11 ott 2022 |             |                  |                   |       |
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| 12 ott 2022 |             |                  |                   |       |
| 13 ott 2022 |             |                  |                   |       |
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| 14 ott 2022 |             |                  |                   |       |
| 15 ott 2022 |             |                  |                   |       |
| 16 ott 2022 |             |                  |                   |       |



| Data        | Descrizione | Denaro in uscita | Denaro in entrata | Saldo |
|-------------|-------------|------------------|-------------------|-------|
| 16 ott 2022 |             |                  |                   |       |
| 17 ott 2022 |             |                  |                   |       |
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| 22 ott 2022 |             |                  |                   |       |

| Data        | Descrizione | Denaro in uscita | Denaro in entrata | Saldo |
|-------------|-------------|------------------|-------------------|-------|
| 23 ott 2022 |             |                  |                   |       |
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| 1 nov 2022  |             |                  |                   |       |
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| Data        | Descrizione | Denaro in uscita | Denaro in entrata | Saldo |
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| 2 nov 2022  |             |                  |                   |       |
| 3 nov 2022  |             |                  |                   |       |
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| Data        | Descrizione | Denaro in uscita | Denaro in entrata | Saldo |
|-------------|-------------|------------------|-------------------|-------|
| 18 nov 2022 |             |                  |                   |       |
| 18 nov 2022 |             |                  |                   |       |
| 19 nov 2022 |             |                  |                   |       |
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| Data        | Descrizione | De | enaro in uscita | Denaro in entrata | Saldo |
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| 27 nov 2022 |             |    |                 |                   |       |
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| Data        | Descrizione | Denaro in | uscita Denaro in entrata | Saldo |
|-------------|-------------|-----------|--------------------------|-------|
| 4 dic 2022  |             |           |                          |       |
| 5 dic 2022  |             |           |                          |       |
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| Data        | Descrizione | ι | Denaro in uscita | Denaro in entrata | Saldo |
|-------------|-------------|---|------------------|-------------------|-------|
| 19 dic 2022 |             |   |                  |                   |       |
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| 20 dic 2022 |             |   |                  |                   |       |
| 21 dic 2022 |             |   |                  |                   |       |
| 21 dic 2022 |             |   |                  |                   |       |
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| 23 dic 2022 |             |   |                  |                   |       |
| 24 dic 2022 |             |   |                  |                   |       |
| 25 dic 2022 |             |   |                  |                   |       |
| 26 dic 2022 |             |   |                  |                   |       |
| 27 dic 2022 |             |   |                  |                   |       |
| 28 dic 2022 |             |   |                  |                   |       |
| 29 dic 2022 |             |   |                  |                   |       |
| 30 dic 2022 |             |   |                  |                   |       |
| 31 dic 2022 |             |   |                  |                   |       |
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Generato in data 7 feb 2025

### Reverted from 29 settembre 2022 to 31 dicembre 2022

| Data d'inizio | Descrizione | Denaro in uscita | Denaro in entrata |  |
|---------------|-------------|------------------|-------------------|--|
| 2 dic 2022    |             |                  |                   |  |
|               |             |                  |                   |  |
|               |             |                  |                   |  |
|               |             |                  |                   |  |

### Transazioni Salvadanai personali e di gruppo da 29 settembre 2022 a 31 dicembre 2022

| Data       | Descrizione | Denaro in uscita | Denaro in entrata | Saldo |
|------------|-------------|------------------|-------------------|-------|
| 2 ott 2022 |             |                  |                   |       |



Generato in data 4 feb 2025

Vincenzo Bernardi



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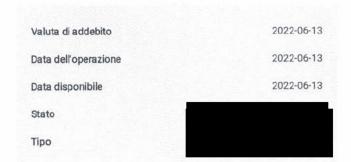
### **Transazione**

Data Descrizione Denaro in uscita Denaro in entrata Saldo

11 giu 2022 To FTX Trading Ltd



Generato in data 4 feb 2025



### Dettagli dell'operazione





## Revolut

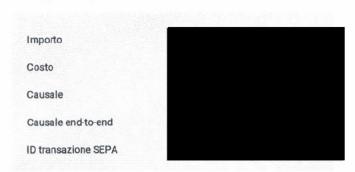


## Conferma dell'operazione

Generato in data 4 feb 2025

| Valuta di addebito   | 2022-08-01 |
|----------------------|------------|
| Data dell'operazione | 2022-07-30 |
| Data disponibile     | 2022-08-01 |
| Stato                |            |
| Tipo                 |            |
|                      |            |

### Dettagli dell'operazione









Generato in data 4 feb 2025

Vincenzo Bernardi





### Transazione

Data Descrizione

Denaro in uscita

Denaro in entrata

Saldo

19 set 2022

To FTX Digital Markets Ltd.

Scansiona codice QR

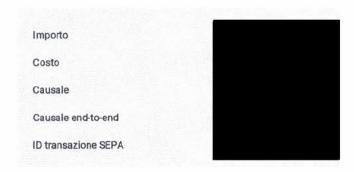




Generato in data 4 feb 2025

| Valuta di addebito   | 2022-09-21 |
|----------------------|------------|
| Data dell'operazione | 2022-09-21 |
| Data disponibile     | 2022-09-21 |
| Stato                |            |
| Tipo                 |            |
|                      |            |

### Dettagli dell'operazione



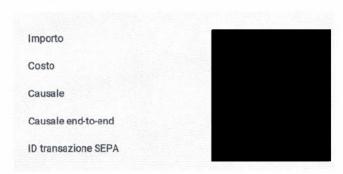




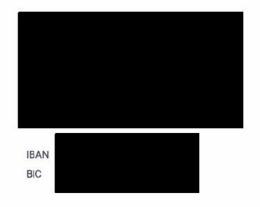
Generato in data 4 feb 2025

| Valuta di addebito   | 2022-09-30 |
|----------------------|------------|
| Data dell'operazione | 2022-09-30 |
| Data disponibile     | 2022-09-30 |
| Stato                |            |
| Tipo                 |            |
|                      |            |

### Dettagli dell'operazione



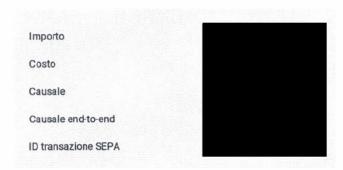




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| Valuta di addebito   | 2022-10-17 |
|----------------------|------------|
| Data dell'operazione | 2022-10-15 |
| Data disponibile     | 2022-10-17 |
| Stato                |            |
| Tipo                 |            |
|                      |            |

### Dettagli dell'operazione





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To: United States Bankruptcy Court for the District of Delaware 824 North Market Street, 5th FloorWilmington, DE 19801 USA

Subject: Submission of Documentation

The undersigned,

Full Name: Vincenzo Bernardi



### Currently residing at:

- Address: St. Bruno Genovesi, 23/2
- · City:Cascina
- · Province/State:PI, Italy
- Postal Code:56021
- Tax Identification Number
- Email: vinciberlr@gmail.com

#### In reference to the case:

United States Bankruptcy Court for the District of Delaware, Case No. 22-11068 (JTD), related to the FTX Trading Ltd. bankruptcy proceedings, and specifically my Objection to the Reduction of Claim No. 45123.

### **Submitted Documentation:**

- 1. Objection\_FTX\_106thOmnibus\_Claim\_n\_45123.pdf
  (Formal objection document submitted to the court regarding the reduction of my claim.)
- Exhibit\_A.pdf
   (Screenshot from FTX showing that the FIAT amount withdrawal was marked as 'Completed' on November 7, 2022.)
- 3. Exhibit\_B.pdf
  (Email confirmation from FTX stating that the withdrawal would be credited within 3-5 business days.)
- 4. Exhibit\_C.pdf
  (Official bank statement proving that the FIAT amount was never credited to my account.)
- 5. Exhibit\_D.pdf
  (Complete transaction history from FTX showing previous withdrawals and deposits.)

Cascina, 08/02/2025

King Regards

Vincenzo Bernardi

VINCENZO BERNARDI VIA BRUNO GENOVESI 23 56021 CASCINA PI ITALIA

RB 2288 1321 2 IT

U.S. BANKRUPTCY COURT, DISTRICT OF DELAWARE ATTN: CLERK'S OFFICE - FTX BANKRUPTCY 824 NORTH MARKET STREET, 5TH FLOOR 19801 WILMINGTON, DE STATI UNITI D'AMERICA

Data di accettazione: 08/02/2025